

1 William N. Lobel, State Bar No. 93202  
wlobel@lwgflp.com  
2 Alan J. Friedman, State Bar No. 132580  
afriedman@lwgflp.com  
3 Beth E. Gaschen, State Bar No. 245894  
bgaschen@lwgflp.com  
4 **LOBEL WEILAND GOLDEN FRIEDMAN LLP**  
650 Town Center Drive, Suite 950  
5 Costa Mesa, California 92626  
Telephone 714-966-1000  
6 Facsimile 714-966-1002

7 Attorneys for Debtor and Debtor-in-Possession  
John Jean Bral

8  
9 **UNITED STATES BANKRUPTCY COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**  
11 **SANTA ANA DIVISION**

12 In re

13 JOHN JEAN BRAL,

14 Debtor.

Case No. 8:17-bk-10706-SC

Chapter 11

**DEBTOR'S OBJECTION TO PROOF OF  
CLAIM FILED BY SAMINI SCHEINBERG,  
PC [CLAIM NO. 22-1]; MEMORANDUM OF  
POINTS AND AUTHORITIES; AND  
DECLARATION OF JOHN JEAN BRAL IN  
SUPPORT THEREOF**

**DATE: November 16, 2017**

**TIME: 11:00 a.m.**

**Place: Courtroom 5C**

**411 West Fourth Street  
Santa Ana, California 92701**

**TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY  
JUDGE, SAMINI SCHEINERG, PC, AND ALL OTHER INTERESTED PARTIES:**

**PLEASE TAKE NOTICE** that, pursuant to 11 U.S.C. § 502, Federal Rule of  
Bankruptcy Procedure 3007, and Local Bankruptcy Rule 3007-1, on November 16, 2017,  
at 11:00 a.m., or as soon thereafter as counsel may be heard, in Courtroom 5C of the  
United States Bankruptcy Court, located at 411 West Fourth Street, Santa Ana, California  
92701, a hearing will be held concerning this objection (the "Objection") of John Jean Bral,  
the debtor and debtor-in-possession in the above-captioned chapter 11 case (the  
"Debtor"), to Claim No. 22-1 filed by Samini Scheinberg, PC.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Bankruptcy Rule 3007-  
1(b)(3)(A), any response to the Objection must be filed and served not later than fourteen  
(14) days prior to the hearing on the Objection (as further set forth in the Notice served  
concurrently herewith).

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Bankruptcy Rule 3007-  
1(b)(3)(B), if a response is not timely filed and served, the Court may grant the relief  
requested in the Objection without further notice or hearing.

**PLEASE TAKE FURTHER NOTICE** that the Objection is based on the Notice of  
Hearing, the attached Memorandum of Points and Authorities, the Declaration of John  
Jean Bral appended hereto, the files and records of this Court related to the Debtor's  
case, and upon such other oral and documentary evidence as may be presented to the  
Court at or before the time of the hearing on the Objection.

**WHEREFORE**, the Debtor requests that the Court enter an Order (i) disallowing in  
its entirety Claim No. 22-1 filed by Samini Scheinberg, PC on the grounds that such claim  
shows a record of indebtedness that is not consistent with the Debtor's books and  
records, fails to attach supporting documentation to substantiate its claim, and was filed

///

///

///

1 after the Bar Date; and (ii) for such other and further relief as may be just and proper  
2 under the circumstances of this case.

3 Respectfully submitted,

4 Dated: October 13, 2017

LOBEL WEILAND GOLDEN FRIEDMAN LLP

6 By: /s/ Beth E. Gaschen

7 WILLIAM N. LOBEL  
8 ALAN J. FRIEDMAN  
9 BETH E. GASCHEN  
Attorneys for Debtor  
and Debtor-in-Possession  
John Jean Bral

Lobel Weiland Golden Friedman LLP  
650 Town Center Drive, Suite 950  
Costa Mesa, California 92626  
Tel 714-968-1000 Fax 714-968-1002

1 **I. INTRODUCTION**

2 The Debtor hereby submits this objection (the "Objection") to Claim No. 22-1 filed  
3 by Samini Scheinberg, PC ("Samini"). On June 19, 2017, Samini filed a proof of claim  
4 ("Claim No. 22-1") in the amount of \$467,991.02. A true and complete copy of Claim No.  
5 22-1 is attached to this Objection and identified by the Court's docket number pursuant to  
6 Local Bankruptcy Rule 3007-1 and incorporated herein by this reference.

7 The Debtor believes Claim No. 22-1 should be disallowed in its entirety for several  
8 reasons. The Debtor scheduled Samini as a general unsecured claim in the amount of  
9 \$50,000 and listed the debt as disputed. Claim No. 22-1 asserts an amount that is  
10 inconsistent with the Debtor's books and records as it is highly overstated. Claim No. 22-  
11 1 also fails to present evidence of the validity of the amount of the claim. Indeed, Claim  
12 No. 22-1 consists only of the proof of claim form; no documentary evidence is attached  
13 whatsoever. Even if some amount was owed to Samini, the Debtor believes that this  
14 amount would be entirely offset by the damages he would be entitled to recover based  
15 upon his malpractice claims against Samini. The Debtor has recently been authorized to  
16 employ special counsel to evaluate these claims and because that analysis is still ongoing  
17 cannot at this time state what the amount of those damages would be. At the very least,  
18 Claim No. 22-1 must be subordinated to all other general unsecured claims filed in the  
19 case as Claim No. 22-1 was filed after the Bar Date (defined hereafter).

20 Failure to disallow the Claim No. 22-1, or alternatively reclassify the same as an  
21 untimely filed general unsecured claim with distribution to be allowed only as provided in  
22 11 U.S.C. § 726(a)(3), would result in Samini receiving an unwarranted recovery against  
23 the Debtor, to the detriment of other creditors. Accordingly, the Debtor requests entry of  
24 an order disallowing Claim No. 22-1 in its entirety, or reclassifying Claim No. 22-1 as an  
25 untimely filed general unsecured claim, with distribution to be allowed only as provided in  
26 11 U.S.C. § 726(a)(3).

1 **II. STATEMENT OF FACTS**

2 **A. Jurisdiction and Venue**

3 This Court has jurisdiction to consider this Objection under 28 U.S.C. §§ 157 and  
4 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2). The Debtor consents to the  
5 entry of a final order by the Court in connection with this Objection to the extent it is later  
6 determined that the Court, absent consent of the parties, cannot enter final orders or  
7 judgments consistent with Article III of the United States Constitution. Venue of this case  
8 and this Objection in this district is proper under 28 U.S.C. §§ 1408 and 1409.

9 **B. The Debtor and the Chapter 11 Filing**

10 The Debtor commenced this case by filing a voluntary petition under chapter 11 of  
11 title 11 of the United States Code on February 24, 2017 (the "Petition Date"). The Debtor  
12 continues to manage his financial affairs and operate his bankruptcy estate as a debtor-in-  
13 possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code. No request for  
14 the appointment of a trustee or examiner has been made in this case. No official  
15 committee of unsecured creditors has been appointed in this case.

16 **C. The Bar Date**

17 This Court set a deadline of June 16, 2017, as the bar date for filing claims (the  
18 "Claims Bar Date"). On April 21, 2017, the Debtor served all known creditors and parties-  
19 in-interest with notice of the Claims Bar Date (the "Bar Date Notice") [Docket No. 47]. See  
20 Exhibit "A." Pursuant to the Bar Date Notice, each creditor, subject to certain limited  
21 exceptions, holding a claim against the Debtor was required to file a proof of claim on or  
22 before the Claims Bar Date.

23 **III. LEGAL ANALYSIS**

24 **A. Standard for Allowance of Claims**

25 Pursuant to section 502(a) of the Bankruptcy Code, a filed proof of claim is deemed  
26 allowed unless a party in interest objects thereto. See 11 U.S.C. § 502(a). Federal Rule  
27 of Bankruptcy Procedure 3001(f) provides in relevant part:  
28

A proof of claim executed and filed in accordance with these Rules shall constitute prima facie evidence of the validity of the amount of the claim.

Bankruptcy Code § 502(b)(1) provides that a claim will not be allowed to the extent that the claim is for "an unenforceable debt against a debtor and property of the debtor, under any agreement or applicable law for a reason other than because such claim is contingent or unmatured. . . ." The claimant must establish by a preponderance of the evidence that its claims should be allowed. The burden of persuasion is on the claimant. See *In re Gray*, 522 B.R. 619, 625 (Bankr. D. Idaho 2014) ("If the objector produces evidence sufficient to negate the validity of the claim, the ultimate burden of persuasion remains on the claimant to demonstrate by preponderance of the evidence that the claim deserves to share in the distribution of the debtor's assets."); *Spencer v. Pugh (In re Pugh)*, 157 B.R. 898, 901 (9th Cir. BAP 1993); *In re Parrott Broadcasting Ltd. P'ship*, 492 B.R. 35, 38 (Bankr. D. Idaho 2013); *In re Blixeth*, 489 B.R. 154 (Bankr. D. Mo. 2013) (once objecting party succeeds in overcoming prima facie effect of procedurally proper proof of claim, burden shifts to claimant to prove validity of its claim, and claimant must satisfy that burden by preponderance of evidence). See also *Pepper v. Litton*, 308 U.S. 295, 304, 60 S.Ct. 244 (1939) (stating that the bankruptcy court has the power to shift the circumstances surrounding any claim to see that injustice or unfairness is not done in administering the bankruptcy estate).

**B. Claim No. 22-1 Should be Disallowed**

Pre-petition, Samini was employed as the Debtor's counsel in connection with multiple state court and subsequent appellate actions (the "State Court Matters"). According to the Debtor's schedules, Samini may have been owed approximately \$50,000 as of the Petition Date, but the Debtor disputed Samini's right to be paid this amount. Claim No. 22-1 was filed in the amount of \$467,991.02 for these same legal services. However, Claim No. 22-1 provides no support for the amount stated in the claim. There are no documents attached to establish or provide evidence of the prima facie validity of the amount of the claim and it is directly contrary to the Debtor's own records. The Debtor

1 is requesting that Claim No. 22-1 be disallowed in its entirety versus being reduced to the  
2 amount set forth in the schedules because the Debtor believes that Samini committed  
3 malpractice in its representation of the Debtor in the State Court Matters. The Debtor has  
4 recently been authorized to employ special counsel who is evaluating this potential claim.  
5 As such, whether a malpractice action will be pursued and the amount of the damages  
6 suffered by the Debtor is currently unknown, but the Debtor believes that if such a claim is  
7 pursued the damages would far exceed the \$50,000 the Debtor scheduled for Samini (or,  
8 in fact, even the face amount of Claim No. 22-1).

9 **C. The Claim is Untimely**

10 Section 502(b)(9) of the Bankruptcy Code states that claims that are not timely filed  
11 should not be allowed unless certain exceptions enumerated in section 726(a)(1)-(3) of  
12 the Bankruptcy Code or under the Bankruptcy Rules are applicable. As noted in *Charter*  
13 *Crude Oil Co. v. Petroleos Mexicanos (In re Charter Co.)*, 125 B.R. 650, 654 (M.D. Fla.  
14 1991), "[b]ankruptcy courts are required to enforce the [claims] bar date strictly so that the  
15 objective of finality in bankruptcy proceedings may be furthered." *See also State of Cal.*  
16 *Bd. of Equalization v. Ulrich (In re Solari)*, 63 B.R. 115 (9th Cir. BAP 1986)(affirming the  
17 bankruptcy court's disallowance of a late-filed claim).

18 In a chapter 11 case, creditors are required to file proofs of claim by the deadline  
19 fixed by the court. Rule 3003(c)(2) provides that in a chapter 11 case:

20 Any creditor or equity security holder whose claim or interest is  
21 not scheduled or scheduled as disputed, contingent, or  
22 unliquidated shall file a proof of claim or interest within the time  
23 prescribed by subdivision (c)(3) of this rule; *any creditor who*  
*fails to do so shall not be treated as a creditor with respect to*  
*such claim for the purposes of voting and distribution.*

24 Thus, Rule 3003(c)(2) makes clear that the Debtor's creditors were required to file claims  
25 by the deadline set by the Court. Because Claim No. 22-1 was filed after the Bar Date  
26 despite Samini being properly served with the Bar Date Notice, Claim No. 22-1 should be  
27  
28

subordinated to all timely filed claims with distribution to be allowed only as provided in 11 U.S.C. § 726(a)(3).<sup>1</sup>

**D. Reservation of Rights**

This Objection is without prejudice to the right of the Debtor to object to the surviving claim, if any, provided herein on any other ground whatsoever and the Debtor expressly reserves all further substantive and/or procedural objections he may have with respect thereto.

**IV. CONCLUSION**

For the reasons set forth herein, Claim No. 22-1 filed by Samini should be disallowed in its entirety in that (1) the claim shows a record of indebtedness that is not consistent with the Debtor's books and records, (2) the claim fails to present evidence of the validity of the amount of the claim; or, (3) in the alternative, Claim No. 22-1 should be deemed an untimely filed general unsecured claim, with distribution to be allowed only as provided in 11 U.S.C. § 726(a)(3) as such claim was filed after the Bar Date.

Respectfully submitted,

Dated: October 13, 2017

LOBEL WEILAND GOLDEN FRIEDMAN LLP

By: /s/ Beth E. Gaschen

WILLIAM N. LOBEL  
ALAN J. FRIEDMAN  
BETH E. GASCHEN  
Attorneys for Debtor and  
Debtor-in-Possession

<sup>1</sup> Section 726(a)(3) provides that tardily filed claims are paid only after timely filed claims are paid in full.



**DECLARATION OF JOHN JEAN BRAL**

I, John J. Bral, declare as follows:

1. I am the debtor and debtor-in-possession in the above-captioned case. The following is based upon my personal knowledge, except as otherwise noted, and if called as a witness herein, I could and would competently testify thereto. I make this declaration in support of the Objection to Proof of Claim Filed by Samini Scheinberg, PC [Claim No. 22-1] (the "Objection"). Any term not specifically defined herein shall have the meaning provided in the Objection.

2. This case was commenced by the filing a voluntary petition under chapter 11 of title 11 of the United States Code on February 24, 2017 (the "Petition Date"). I continue to manage my financial affairs and operate my bankruptcy estate as a debtor-in-possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code. No request for the appointment of a trustee or examiner has been made in this case. No official committee of unsecured creditors has been appointed in this case.

3. This Court set a deadline of June 16, 2017 as the bar date for filing claims (the "Claims Bar Date"). On April 21, 2017, my counsel served all known creditors and parties-in-interest with the Bar Date Notice [Docket No. 47]. Pursuant to the Bar Date Notice, each creditor, subject to certain limited exceptions, holding a claim against me was required to file a proof of claim on or before the Claims Bar Date.

4. A true and correct copy of the Bar Date Notice with proof of service is attached to this Objection as Exhibit "A."

5. I have commenced reviewing and reconciling the proofs of claims filed against my estate. These efforts have resulted in the identification of the disputed claim filed by Samini, a true and complete copy of which is attached hereto, identified by the Court's docket number 22-1 pursuant to Local Bankruptcy Rules 3007-1, and incorporated herein by this reference.

6. Pre-petition, I employed Samini as my counsel in connection with multiple state court and subsequent appellate actions (the "State Court Matters"). According to my

1 schedules, Samini may have been owed approximately \$50,000 as of the Petition Date,  
2 but I disputed Samini's right to be paid this amount. Claim No. 22-1 was filed in the  
3 amount of \$467,991.02 for these same legal services. However, Claim No. 22-1 provides  
4 no support for the amount stated in the claim. There are no documents attached to  
5 establish or provide evidence of the prima facie validity of the amount of the claim and it is  
6 directly contrary to my records.

7 7. I believe that Claim No. 22-1 should be disallowed in its entirety versus  
8 being reduced to the amount set forth in the schedules because I believe that Samini  
9 committed malpractice in representing me in the State Court Matters. I have recently  
10 been authorized to employ special counsel who is evaluating this potential claim. As  
11 such, whether a malpractice action will be pursued and the amount of the damages  
12 suffered by me is currently unknown, but I believe that if such a claim is pursued the  
13 damages would far exceed the \$50,000 I scheduled for Samini, and would in fact, exceed  
14 the face amount of Claim No. 22-1.

15 8. Moreover, this Court set a deadline of June 16, 2017, as the bar date for  
16 filing claims (the "Claims Bar Date"). Claim No. 22-1 was filed after the Claims Bar Date  
17 despite Samini being properly served with the Bar Date Notice and Claim No. 21-1 should  
18 therefore, if not disallowed in its entirety, be subordinated to all timely filed claims with  
19 distribution to be allowed only as provided in 11 U.S.C. § 726(a)(3).<sup>2</sup>

20 ///

21 ///

22  
23  
24  
25  
26  
27 <sup>2</sup> Section 726(a)(3) provides that tardily filed claims are paid only after timely filed claims are paid in full.  
28

1 9. I believe that granting the relief requested in the Objection is in the best  
2 interests of my estate.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed this 13th day of October 2017, at Irvine, California.

5  
6  
7  
8   
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Lobel Weiland Golden Friedman LLP  
850 Town Center Drive, Suite 350  
Costa Mesa, California 92626  
Tel 714-966-1000 Fax 714-966-1002

[POC NO. 22-1]

**Fill in this information to identify the case:**

Debtor 1 John Bral

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Central District of California

Case number 8:17-bk-10706-SC

Official Form 410

**Proof of Claim**

4/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

**Part 1: Identify the Claim**

|  |   |   |
|--|---|---|
| 1. Who is the current creditor?  | <u>Samini Scheinberg, PC</u><br>Name of the current creditor (the person or entity to be paid for this claim)<br><br>Other names the creditor used with the debtor _____  |   |
| 2. Has this claim been acquired from someone else?   | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. From whom? _____  |   |
| 3. Where should notices and payments to the creditor be sent?<br><br>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g) | <b>Where should notices to the creditor be sent?</b><br><br><u>Samini Scheinberg, PC</u><br>Name<br><u>840 Newport Center Drive, Suite 700</u><br>Number Street<br><u>Newport Beach</u> <u>CA</u> <u>92660</u><br>City State ZIP Code<br><br>Contact phone <u>(949) 724-0900</u><br>Contact email <u>bsamini@saminilaw.com</u><br><br>Uniform claim identifier for electronic payments in chapter 13 (if you use one):<br>_____ | <b>Where should payments to the creditor be sent? (if different)</b><br><br>_____<br>Name<br>_____<br>Number Street<br>_____<br>City State ZIP Code<br><br>Contact phone _____<br>Contact email _____ |
| 4. Does this claim amend one already filed?  | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____<br>MM / DD / YYYY   |   |
| 5. Do you know if anyone else has filed a proof of claim for this claim?   | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Who made the earlier filing? _____  |   |

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

|   |   |
|---|---|
| 6. Do you have any number you use to identify the debtor? | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____   |
| 7. How much is the claim?                                 | \$ <u>467,991.02</u> . Does this amount include interest or other charges?<br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).  |
| 8. What is the basis of the claim?                        | Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.<br>Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).<br>Limit disclosing information that is entitled to privacy, such as health care information.<br><br><u>Legal services</u>   |
| 9. Is all or part of the claim secured?                   | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. The claim is secured by a lien on property.<br><br><b>Nature of property:</b><br><input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> .<br><input type="checkbox"/> Motor vehicle<br><input type="checkbox"/> Other. Describe: _____<br><br><b>Basis for perfection:</b> _____<br>Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)<br><br><b>Value of property:</b> \$ _____<br><b>Amount of the claim that is secured:</b> \$ _____<br><b>Amount of the claim that is unsecured:</b> \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)<br><br><b>Amount necessary to cure any default as of the date of the petition:</b> \$ _____<br><br><b>Annual Interest Rate (when case was filed)</b> _____ %<br><input type="checkbox"/> Fixed<br><input type="checkbox"/> Variable |
| 10. Is this claim based on a lease?                       | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____   |
| 11. Is this claim subject to a right of setoff?           | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Identify the property: _____  |

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)? ☒ No  
☐ Yes. Check all that apply:

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

|   | Amount entitled to priority |
|---|-----------------------------|
| <input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).  | \$ _____                    |
| <input type="checkbox"/> Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).  | \$ _____                    |
| <input type="checkbox"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). | \$ _____                    |
| <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).  | \$ _____                    |
| <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).  | \$ _____                    |
| <input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.   | \$ _____                    |

\* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☒ I am the creditor.  
☐ I am the creditor's attorney or authorized agent.  
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.  
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 06/16/2017  
MM / DD / YYYY

Signature

Print the name of the person who is completing and signing this claim:

Name Bobby Samini  
First name Middle name Last name  
Title President  
Company Samini Scheinberg, PC  
Identify the corporate servicer as the company if the authorized agent is a servicer.  
Address 840 Newport Center Drive, Suite 700  
Number Street  
Newport Beach CA 92660  
City State ZIP Code  
Contact phone (949) 724-0900 Email bsamini@saminilaw.com

# EXHIBIT "A"



|  |  |
|--|--|
| Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address<br><b>LOBEL WEILAND GOLDEN FRIEDMAN LLP</b><br>William N. Lobel, State Bar No. 93202<br>wlobel@lwgfllp.com<br>Alan J. Friedman, State Bar No. 132580<br>afriedman@lwgfllp.com<br>Beth E. Gaschen, State Bar No. 245894<br>bgaschen@lwgfllp.com<br>650 Town Center Drive, Suite 950<br>Costa Mesa, California 92626<br>Telephone 714-966-1000/Facsimile 714-966-1002<br><br><input type="checkbox"/> Individual appearing without attorney<br><input checked="" type="checkbox"/> Attorney for: Debtor, John Jean Bral | <b>FOR COURT USE ONLY</b>  |
| <b>UNITED STATES BANKRUPTCY COURT<br/>         CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION</b>   |  |
| In re:<br><b>JOHN JEAN BRAL,</b><br><br><br><br><br><br><br><br><br><br><div style="text-align: right;">Debtor(s).</div>   | CASE NO.: 8:17-bk-10706-SC<br>CHAPTER: 11<br><br><div style="text-align: center; border: 1px solid black; padding: 5px; margin: 5px 0;"> <b>NOTICE OF BAR DATE FOR FILING<br/>         PROOFS OF CLAIM IN A CHAPTER 11 CASE<br/>         [LBR 3003-1]</b> </div> <input checked="" type="checkbox"/> No hearing: LBR 9013-1(q)<br><input type="checkbox"/> Hearing information<br>DATE:<br>TIME:<br>COURTROOM:<br>ADDRESS: |

1. **Bar Date.** The court has set a deadline of (date) June 16, 2017 (Bar Date), for creditors in the above-referenced case to file proofs of claim against the Debtor's estate. ON OR BEFORE THE BAR DATE, PROOFS OF CLAIM MUST BE FILED WITH THE COURT CLERK AT:
 

|  |   |
|--|---|
| <input type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012     | <input checked="" type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701 |
| <input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367 | <input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101             |
| <input type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501          |   |
2. **Form.** You may obtain a Proof of Claim form (Official Form 410) on the Bankruptcy Court's web site at <http://www.cacb.uscourts.gov>, or visit the Intake area at any division of the Court.  
 Proof of Claim Form (Official Form 410) is also attached for your convenience.
3. **Exceptions to the Bar Date.** Exceptions to the Bar Date include, but are not limited to, the following:
  - (a) **Executory contracts/unexpired leases.** For claims arising from rejection of any executory contract or unexpired lease, the last day to file a Proof of Claim is the later of (a) the Bar Date or (b) 30 days after the date of entry of an order authorizing the rejection of such contract or lease or after any automatic rejection of such contract or lease. See 11 U.S.C. §§ 365(d)(4) and 502(g).

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

- (b) **Governmental units.** For claims of governmental units, the last day to file a Proof of Claim is the later of (a) the Bar Date or (b) before 180 days after the date of the Order for Relief in this case (the person signing this form has determined that the Order for Relief was entered on (date) 02/24/2017, and therefore calculates that this deadline is (date) 08/23/2017). See 11 U.S.C. §§ 101(27) and 502(b)(9).
- (c) **Avoidance.** For claims arising from the avoidance of a transfer under chapter 5 of the Bankruptcy Code (11 U.S.C. § 544 and following), the last day to file a Proof of Claim is the later of (a) the Bar Date or (b) 30 days after the entry of judgment avoiding the transfer. See 11 U.S.C. § 502(h).
- (d) **Agreed claims.** If your claim is listed on the Debtor's official bankruptcy schedules of assets and liabilities (Schedules) and it is not listed as disputed, contingent, unliquidated or unknown, then your claim is deemed filed in the amount set forth in those Schedules. 11 U.S.C. § 1111(a). But, if your claim is not listed on the Schedules, or is listed as disputed, contingent, unliquidated or unknown, or if you disagree with the amount or description of your claim (e.g., its description as unsecured or non-priority), then you must timely file a Proof of Claim as set forth in this Notice.
4. **11 U.S.C. § 503(b)(9) Claims.** Claims arising from unpaid goods received by the Debtor in the ordinary course of business within 20 days prepetition are subject to an administrative expense priority pursuant to 11 U.S.C. §§ 507(a)(2) and 503(b)(9). Any creditor who wishes to assert such a claim must file a Proof of Claim by the Bar Date, modified as follows: (a) *Section 2 of Proof of Claim. Identify:* (i) the goods for which the Debtor has not paid; (ii) the method(s) of shipment; (iii) the actual date(s) when those goods were *received* by the Debtor (or state that an estimated date has been used); and (iv) the place of delivery – e.g., “computers shipped via U.S. mail, received by the Debtor at the Debtor's warehouse on [insert estimated date]” (use a continuation sheet if necessary); (b) *Section 5 of Proof of Claim.* Check the box for “Other” priority and specify that priority is under 11 U.S.C. §§ 507(a)(2) and 503(b)(9).
5. **Interest Holders.** If the Debtor or the chapter 11 trustee believes it necessary to set a bar date for interest holders (e.g., holders of common or preferred stock), then, before this Notice is served, the chambers of the presiding judge in this case must be contacted for further instructions.

**FAILURE OF A CREDITOR TO FILE A PROOF OF CLAIM ON OR BEFORE THE DEADLINE MAY RESULT IN DISALLOWANCE OF THE CLAIM OR SUBORDINATION UNDER THE TERMS OF A PLAN OF REORGANIZATION WITHOUT FURTHER NOTICE OR HEARING. 11 U.S.C. § 502(b)(9). CREDITORS MAY WISH TO CONSULT AN ATTORNEY TO PROTECT THEIR RIGHTS.**

Date:

4/18/17

By:

Beth E. Gaschen

Signature of Debtor, chapter 11 trustee, or their attorney

Name: Beth E. Gaschen for Lobel Weiland Golden Friedman LLP

Printed name of Debtor, chapter 11 trustee, or their attorney

Fill in this information to identify the case:

Debtor 1 JOHN JEAN BRAL

Debtor 2  
(Spouse, if filing) \_\_\_\_\_

United States Bankruptcy Court for the: Central District of California

Case number 8:17-bk-10706-SC

## Official Form 410

# Proof of Claim

4/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

### Part 1: Identify the Claim

1. Who is the current creditor?

Name of the current creditor (the person or entity to be paid for this claim) \_\_\_\_\_

Other names the creditor used with the debtor \_\_\_\_\_

2. Has this claim been acquired from someone else?

☐ No

☐ Yes. From whom? \_\_\_\_\_

3. Where should notices and payments to the creditor be sent?

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?

Name \_\_\_\_\_

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Contact phone \_\_\_\_\_

Contact email \_\_\_\_\_

Where should payments to the creditor be sent? (if different)

Name \_\_\_\_\_

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Contact phone \_\_\_\_\_

Contact email \_\_\_\_\_

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

\_\_\_\_\_

4. Does this claim amend one already filed?

☐ No

☐ Yes. Claim number on court claims registry (if known) \_\_\_\_\_

Filed on \_\_\_\_\_  
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

☐ No

☐ Yes. Who made the earlier filing? \_\_\_\_\_

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

|   |   |
|---|---|
| 6. Do you have any number you use to identify the debtor? | <input type="checkbox"/> No<br><input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____  |
| 7. How much is the claim? \$ _____                        | Does this amount include interest or other charges?<br><input type="checkbox"/> No<br><input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).  |
| 8. What is the basis of the claim?                        | Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.<br>Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).<br>Limit disclosing information that is entitled to privacy, such as health care information.<br><br>_____   |
| 9. Is all or part of the claim secured?                   | <input type="checkbox"/> No<br><input type="checkbox"/> Yes. The claim is secured by a lien on property.<br><br>Nature of property:<br><input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> .<br><input type="checkbox"/> Motor vehicle<br><input type="checkbox"/> Other. Describe: _____<br><br>Basis for perfection: _____<br>Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)<br><br>Value of property: \$ _____<br>Amount of the claim that is secured: \$ _____<br>Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)<br><br>Amount necessary to cure any default as of the date of the petition: \$ _____<br><br>Annual Interest Rate (when case was filed) _____ %<br><input type="checkbox"/> Fixed<br><input type="checkbox"/> Variable |
| 10. Is this claim based on a lease?                       | <input type="checkbox"/> No<br><input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____  |
| 11. Is this claim subject to a right of setoff?           | <input type="checkbox"/> No<br><input type="checkbox"/> Yes. Identify the property: _____   |

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ No

☐ Yes. Check all that apply:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ Up to \$2,850\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

☐ Wages, salaries, or commissions (up to \$12,850\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

☐ Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.

Amount entitled to priority

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

### Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☐ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date \_\_\_\_\_  
MM / DD / YYYY

\_\_\_\_\_  
Signature

Print the name of the person who is completing and signing this claim:

Name \_\_\_\_\_  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_  
Number Street

City State ZIP Code

Contact phone \_\_\_\_\_ Email \_\_\_\_\_

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
650 Town Center Drive, Suite 950, Costa Mesa, CA 92626

A true and correct copy of the foregoing document entitled: **NOTICE OF BAR DATE FOR FILING PROOFS OF CLAIM IN A CHAPTER 11 CASE [LBR 3003-1]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 04/21/2017, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (date) 04/21/2017, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Scott C. Clarkson, United States Bankruptcy Court, Central District of California, Ronald Reagan Federal Building and Courthouse, 411 West Fourth Street, Suite 5130/Courtesy Bin, Santa Ana, CA 92701-4593

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

04/21/2017  
Date

Lori Gauthier  
Printed Name

/s/ Lori Gauthier  
Signature

**SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

- **Alan J Friedman** afriedman@lwgfllp.com, nlockwood@lwgfllp.com; jokeefe@lwgfllp.com; banavim@lwgfllp.com; lgauthier@lwgfllp.com
- **Beth Gaschen** bgaschen@wgllp.com, kadele@wgllp.com; lfisk@wgllp.com; lgauthier@lwgfllp.com; nlockwood@lwgfllp.com; tziemann@wgllp.com
- **Michael J Hauser** michael.hauser@usdoj.gov
- **Mark D Hurwitz** mhurwitz@lsl-la.com, dsmall@lsl-la.com
- **Gary E Klausner** gek@lnbyb.com
- **William F McDonald** Caecf@tblaw.com, wfm@tblaw.com; snchampney@tblaw.com
- **Krikor J Meshefejian** kjm@lnbrb.com
- **Edward G Schloss** egs2@ix.netcom.com
- **Valerie Smith** claims@recoverycorp.com
- **Daniel B Spitzer** dspitzer@spitzeresq.com
- **United States Trustee (SA)** ustregion16.sa.ecf@usdoj.gov
- **Zann R Welch** ecfnofices@ascensioncapitalgroup.com

**SERVED VIA U.S. MAIL:**

REFER TO ATTACHED LIST

John J. Bral  
64 Sandpiper  
Irvine, CA 92604

Office of the United States Trustee  
411 W. Fourth Street  
Suite 7160  
Santa Ana, CA 927601-4593

Suntrust Mortgage  
Attn Authorized Agent  
PO Box 79041  
Baltimore, MD 21279-0041

Citibank  
Attn Authorized Agent  
PO Box 78005  
Phoenix, AZ 85062-8005

Bank of America/Bayview  
Attn Authorized Agent  
PO Box 650225  
Dallas, TX 75265-0225

Cannae Financial LLC  
Attn Authorized Agent  
15303 Ventura Blvd., Suite 1650  
Sherman Oaks, CA 91403

Cannae Financial LLC  
Attn Authorized Agent  
825 Barrington Avenue  
Los Angeles, CA 90049

Barry Beitler  
825 S Barrington Avenue  
Los Angeles, CA 90049

County of Orange  
Treasurer - Tax Collector  
PO Box 1438  
Santa Ana, CA 92702-1438

Jonathan Ahdoot  
4 Blanchard  
Irvine, CA 92603

Citi Bank  
Attn Authorized Agent  
PO Box 78045  
Phoenix, AZ 85062-8045

Bank of America  
Attn Authorized Agent  
PO Box 15019  
Wilmington, DE 19886-5019

Bank of America  
Attn Authorized Agent  
PO Box 15291  
Wilmington, DE 19850

Les Jakosky  
c/o Daniel Germain  
16311 Ventura Blvd Suite 1200  
Encino, CA 91436-2152

Barry Beitler c/o Tom Lallas Esq  
Levy Small & Lallas  
815 Moraga Drive  
Los Angeles, CA 90049-1633

Michelle Easton  
1900 E Warner Ave Ste M  
Santa Ana, CA 92705

Avalon Associates Ltd  
Attn Authorized Agent  
PO Box 207  
Bonsall, CA 92003

Gary Salomons Esq  
Gary Salomons LLP  
16311 Ventura Blvd Ste 970  
Encino, CA 91436

AFG Investment Fund 7 LLC  
Attn: Authorized Agent Barry Bietler  
825 S. Barrington Avenue  
Los Angeles, CA 90049

BAB 8 LLC  
Attn Authorized Agent  
825 S Barrington Ave  
Los Angeles, CA 90049

Bayview Loan Servicing LLC  
Attn Authorized Agent  
PO Box 650225  
Dallas, TX 75265-0225

Beitler & Associates  
Attn Authorized Agent  
825 S Barrington Ave  
Los Angeles, CA 90049

Beitler Commercial Realty Services  
Attn: Barry Beitler  
825 S Barrington Ave  
Los Angeles, CA 90049

Betsy Boyd  
2 Park Plaza Suite 100  
Irvine, CA 92614

BMW Financial Services NA  
LLC Dept-Ascension Capital Group  
PO Box 165028  
Irving, TX 75016

CitiMortgage c/o Tiffany & Bosco  
Attn William McDonald Esq  
1230 Columbia Street Suite 680  
San Diego, CA 92101

CitiMortgage Inc/Citibank, N.A.  
Attn Authorized Agent  
PO Box 6030  
Sioux Falls, SD 57117-6030



Cornerstone Law Corporation  
Attn Authorized Agent  
300 Bristol Street N Suite 100  
Newport Beach, CA 92660

David Seror  
Brutzkus Gubner Rozansky et al  
21650 Oxnard Street Suite 500  
Woodland Hills, CA 91367

First Citizens Bank & Trust Company  
Attn; Authorized Agent  
4300 Soix Forks Road  
Raleigh, NC 27609

First Citizens Bank & Trust Company  
c/o CT Corporation System  
818 W 7th Street Suite 930  
Los Angeles, CA 90017

Steward Financial LLC  
Attn Barry Beitler  
825 S Barrington Ave  
Los Angeles, CA 90049

Frاندzel Robins Bloom & Castro LC  
Attn Authorized Agent  
1000 Wilshire Blvd 19th Floor  
Los Angeles, CA 90017

Honda Financial Services  
Attn Authorized Agent or Tellisa  
Norment, Bankr. Collector  
PO Box 168088  
Irving, TX 75016

~~James D Hornbuckle  
Cornerstone Law Corporation  
2402 Business Center Drive  
Irvine, CA 92612  
[RET. MAIL-UNABLE TO FWD]~~

James D Hornbuckle  
Cornerstone Law Corporation  
34145 Pacific Coast Hwy Suite 221  
Dana Point, CA 92629

Jeffrey L Hayden  
9625 Oak Pass Road  
Beverly Hills, CA 90210

Levinson Arshonsky & Kurtz LLP  
Attn Authorized Agent  
15303 Ventura Blvd Suite 1650  
Sherman Oaks, CA 91403

Lloyd K Chapman  
Law Offices of Lloyd K Chapman  
4558 Sherman Oaks Ave  
Sherman Oaks, CA 91403

Michael S Kogan  
Kogan Law Firm APC  
1849 Sawtelle Blvd Suite 700  
Los Angeles, CA 90025

MTC Financial Inc dba Trustee Corps  
Attn Authorized Agent/Marisol Nagata  
17100 Gillette Ave  
Irvine, CA 92614

OC Treasurer/Tax Collector  
PO Box 4515  
Santa Ana, CA 92702-4515

Samini Scheinberg PC  
840 Newport Center Drive  
Suite 700  
Newport Beach, CA 92660

**REQUEST FOR NOTICE PARTIES:**

CitiMortgage, Inc.  
Attn: Authorized Agent  
PO Box 6030  
Sioux Falls, SD 57117-6030

CitiMortgage – c/o Tiffany & Bosco P.A.  
Attn: William F. McDonald, Esq.  
1230 Columbia Street, Suite 680  
San Diego, CA 92101

BMW Financial Services NA, LLC Dept.  
Ascension Capital Group/Acct.#4504  
PO Box 165028  
Irving, TX 75016

Tom Lallas, Esq./Mark D. Hurwitz, Esq.  
Levy, Small & Lallas  
815 Moraga Drive  
Los Angeles, CA 90049

Edward G. Schloss  
3637 Motor Avenue Suite 220  
Los Angeles, CA 90034

Synchrony Bank  
c/o PRA Receivables Management LLC  
PO Box 41021  
Norfolk, VA 23541

County of Orange  
Attn: Ratna D. Butani, Bankr. Collection  
Officer  
PO Box 4515  
Santa Ana, CA 92702

Les Jakofsky  
c/o Daniel B. Spitzer, Esq.  
Law Offices of Daniel B. Spitzer  
16311 Ventura Blvd., Suite 1200  
Encino, CA 91436-2152

Counsel for Beitler, et al  
KRIKOR J. MESHEFEJIAN  
LEVENE, NEALE, BENDER  
10250 Constellation Boulevard,  
Suite 1700  
Los Angeles, California 90067

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
650 Town Center Drive, Suite 950, Costa Mesa, CA 92626

A true and correct copy of the foregoing document entitled (*specify*): **DEBTOR'S OBJECTION TO PROOF OF CLAIM FILED BY SAMINI SCHEINBERG, PC [CLAIM NO. 22-1]; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION OF JOHN JEAN BRAL IN SUPPORT THEREOF** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On October 13, 2017, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) October 13, 2017, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) October 13, 2017, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**SERVED VIA PERSONAL DELIVERY/ATTORNEY SERVICE**

The Honorable Scott C. Clarkson  
United States Bankruptcy Court  
Central District of California  
Ronald Reagan Federal Building and Courthouse  
411 West Fourth Street, Suite 5130/Courtesy Bin  
Santa Ana, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

10/13/2017  
Date

Lori Gauthier  
Printed Name

/s/ Lori Gauthier  
Signature

**SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

- **Thomas H Casey** kdriggers@tomcaseylaw.com, msilva@tomcaseylaw.com
- **Alan J Friedman** afriedman@lwgfllp.com,  
nlockwood@lwgfllp.com;jokeefe@lwgfllp.com;banavim@lwgfllp.com;lgauthier@lwgfllp.com
- **Daniel K Fujimoto** wdk@wolffirm.com
- **Beth Gaschen** bgaschen@wglp.com,  
kadele@wglp.com;lfisk@wglp.com;lgauthier@lwgfllp.com;nlockwood@lwgfllp.com
- **Michael J Hauser** michael.hauser@usdoj.gov
- **Mark D Hurwitz** mhurwitz@lsl-la.com, dsmall@lsl-la.com
- **Gary E Klausner** gek@lnbyb.com
- **William N Lobel** wlobel@lwgfllp.com,  
nlockwood@lwgfllp.com;jokeefe@lwgfllp.com;banavim@wglp.com
- **Kathleen J McCarthy** kdriggers@tomcaseylaw.com, msilva@tomcaseylaw.com
- **William F McDonald** Caecf@tblaw.com, wfm@tblaw.com;snchampney@tblaw.com
- **Krikor J Meshefejian** kjm@lnbrb.com
- **Edward G Schloss** egs2@ix.netcom.com
- **Valerie Smith** claims@recoverycorp.com
- **Daniel B Spitzer** dspitzer@spitzeresq.com
- **United States Trustee (SA)** ustpregion16.sa.ecf@usdoj.gov
- **Zann R Welch** ecfnotices@ascensioncapitalgroup.com

**SERVED VIA FIRST-CLASS MAIL:**

Samini Scheinberg, PC  
Attn: Bobby Samini, President  
840 Newport Center Drive, Suite 700  
Newport Beach, CA 92660

Office of the United States Trustee  
411 West Fourth Street, Suite 7160  
Santa Ana, CA 92701